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IN THE HIGH COURT OF DELHI AT NEW DELHI

ARB.P. 394/2016 & IA 14422/2016

SIESTA COMMUNICATIONS PRIVATE LIMITED..... Petitioner
Through: Mr. Tarun Sharma, Ms. B. Prabha,
Advocates.

versus

TELENOR (INDIA) COMMUNICATIONS PVT. LTD.
ERSTWHILE TELEWINGS COMMUNICATIONS PVT. LTD. &
ORS. Respondents
Through: Mr. Shailesh K Kapoor, Ms. Suruchi
Thapar, Mr. Ajay Kumar, Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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22.11.2016

1. Both the parties agree that the order similar to the order dated 3rd November 2016 in Arb.P. No. 401 of 2016, between the same parties, can be passed in the present petition as well.
2. Accordingly, for the reasons already explained in the said order dated 3rd November 2016 in Arb.P. No. 401 of 2016, the disputes that have arisen between the Petitioner and the Respondents in relation to the Agreement on Responsible Business Conduct dated 15th March 2013 and Service Agreement dated 1st May 2015 are referred to arbitration.
3. It is agreed by the Respondent that any reference to 'Arbitration Institute of the Stockholm Chamber of Commerce' and 'International Chamber of

Commerce (ICC) in Stockholm, Sweden’ in clause 19 of the Agreement on Responsible Business Conduct should be read as Delhi International Arbitration Centre (‘DIAC’). The Respondent has agreed that the place of arbitration can be Delhi. It is clarified that the arbitration will take place under the Arbitration & Conciliation Act, 1996.

4. The Petitioner has already nominated Justice K. Ramamoorthy, a former Judge of this Court as its nominee Arbitrator. The Respondent has nominated Ms. Madhurima Mridul, Advocate as its Arbitrator. Both the said Arbitrators shall nominate the third Arbitrator within a period of four weeks. The Arbitral Tribunal (AT) will adjudicate the disputes between the parties including their claims and counter claims. The arbitration shall take place under the aegis of the DIAC. The fees of the members of the AT will be in terms of the Delhi High Court Arbitration Centre (Arbitrators’ Fees) Rules. The authorized representatives of both the parties will appear before the DIAC on 23rd November 2016 at 11 am.

5. The petition and the application are disposed of. A copy of this order be communicated to the learned Arbitrators as well as Additional Coordinator, DAC forthwith.

6. A copy of this order be given *dasti* under the signature of Court Master.

S.MURALIDHAR, J

NOVEMBER 22, 2016
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